

Applicant : William McHugh, et al.
Serial No. : 09/692,869
Filed : October 20, 2000
Page : 2

Attorney's Docket No.: 08935-218001 / M-4926;

REMARKS

Applicants amended the title of the application to indicate the subject matter of the claims. Claims 1-26 (attached) are pending.

The Examiner rejected claims 1-26 under 35 U.S.C. § 103(a) over U.S. Patent No. 6,265,104 B1 (Hull) in view of U.S. Patent No. 6,197,445 B1 (Ward). Hull was developed by another person and qualifies as prior art under 35 U.S.C. § 102(e). Furthermore, at the time the claimed invention was made, the subject matter of Hull and the claimed invention were subject to an obligation of assignment to the same person, namely, The Gillette Company. (A copy of an uncorrected Notice of Recordation of Assignment for the present application is enclosed for the Examiner's convenience.) Accordingly, Hull cannot preclude patentability under 35 U.S.C. §103 (See 35 U.S.C. §103(c)), and Applicants request that the rejection under 35 U.S.C. §103(a) be withdrawn.

Applicants believe the claims are in condition for allowance, which action is requested.

Attached is a marked-up version of the changes being made by the current response.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: SEPTEMBER 10, 2002

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Version with markings to show changes made

In the title:

Please change the title from "BATTERY" to--BATTERY AND METHOD OF MAKING
A BATTERY--.



08935/218001

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

JUNE 14, 2001

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

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